

REMARKS

Applicant asks for reconsideration of the rejection of the claims. First, the Harrison patent taken with Sakai, et al. does not render Claim 1 obvious, nor is the combination proper.

The examiner proposes that an absorber/air spring combination (as shown in Sakai, et al.) be utilized “in the system of Harrison,” and alleges that such a combination would fully meet the claims.

Claim 1 requires there to be an air spring defining an air volume. There is a control for avoiding an undesirably high temperature within the air volume by replacing hotter air with cooler air. Sakai, et al. has an air supply line 12. Harrison discloses a reservoir for supplying air. As shown, there are check valves 18 and 22 between the Harrison reservoir (1, 2) and the suspension unit 21. The examiner points to the existence of valves 25 and 28, that are pressure relief valves in the Harrison device. The examiner argues that these valves 25 and 28 would compensate for changes in temperature. Perhaps valves 25 and 28 in the Harrison reservoirs 1 and 2 may operate in such a manner. However, changes within the Harrison reservoir 1 and 2 would not relate to changes in the air temperature in the “air volume.” The air within the air volume would not be replaced by cooler air. The intermediate check valve would be in the path of any such air. Simply, all Harrison does is control certain characteristics with regard to the air in a reservoir, far remote from unit 21.

Thus, Harrison taken with Sakai, et al. does not properly render Claim 1 obvious.

Claims 2-5 are further rejected over Harrison taken with Sakai, et al. and further in view of Chamberlin, et al. The examiner proposes to use “temperature responsive valves” to replace the Harrison valves.

Applicant recognizes that it has not invented a temperature responsive valve. However, it has placed such a valve in a unique location, and for a unique application. As an example, Claim 2 requires that the temperature responsive valve opens “to allow air to leave said air volume if a pre-determined temperature is reached.” Harrison would not allow air to leave any “air volume” as defined by an air spring. With regard to Claim 3, there is no leveling valve that is operable to deliver a cooler air into an air spring should the temperature responsive valve open to allow air to leave the air volume.

Again, all that Harrison discloses is a single line to a suspension element 21. There is no separate leveling valve that would be operative as required by Claim 3.

Claim 4 requires that the temperature responsive valve be mounted in an end of the air spring. The examiner holds this is a “design choice.” If the examiner does not allow this claim, he is requested to supply some prior art supporting this position. The claimed location is not a “design choice,” and the Harrison valves 25 and 28 would not be incorporated into any air spring in that they are functional in an air reservoir.

For the reasons set forth above, the claims 1 through 4 are improperly rejected.

Claim 5 requires many of the features set forth above, and is improperly rejected for the reasons mentioned above.

For all of these reasons, the allowance of all claims is in order. Such action is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

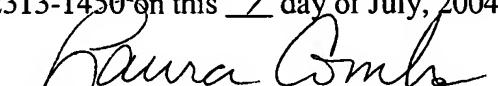
Respectfully submitted,


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CERTIFICATE OF MAIL

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9 day of July, 2004.


Laura Combs

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